

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

HODELL-NATCO INDUSTRIES, INC.,)	CASE NO. 1:08-CV-2755
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	SUPPLEMENT TO TRIAL BRIEF OF
)	PLAINTIFF HODELL-NATCO
SAP AMERICA, INC., et al.)	INDUSTRIES, INC.
)	
Defendants.)	

Plaintiff Hodell-Natco Industries, Inc. (“Hodell”), in compliance with the Court’s Civil Jury Trial Order [ECF #312], submits the following Supplement to the Trial Brief filed in preparation for the trial set to commence June 15, 2015. This Supplement briefly sets forth the anticipated general subject matter of the testimony for witnesses Hodell anticipates calling at trial.

Each of Hodell’s anticipated witnesses has been deposed the SAP Defendants and SAP is well aware of the subject matter of their testimony. Hodell’s witnesses are as follows:

Fact Witnesses Expected to be Called at Trial:

1. Kevin Reidl (President, Hodell-Natco Industries, Inc.): Expected to testify in person at trial about the sales process of Business One to Hodell, Hodell’s implementation of Business One, the problems Hodell experienced with Business One and the effect of those problems on Hodell’s business, the efforts undertaken to remedy those problems, and the selection of replacement software.

2. Daniel Lowery (President/Owner of LSi-Lowery Systems, Inc.): Expected to testify in person at trial regarding the sales process of Business One to Hodell, the representations made to Hodell, LSi's relationship with SAP, and the problems experienced by Hodell running Business One.

3. Paul Killingsworth (Director Solution Experts & Customer Relations, SAP Business One): Expected to testify in person at trial regarding the SAP partner program, the capabilities of Business One and SAP's knowledge thereof, and the efforts to remedy the malfunctioning Business One software.

4. Edward Neveux (Solution Architect, SAP Business One): Expected to testify in person at trial regarding the capabilities of the SAP Business One software and the efforts to remedy the malfunctioning Business One software.

5. Udi Ziv (former Director of Development for SAP Business One): Expected to testify at trial by videotape deposition consistent with the deposition designations submitted by Hodell relating to the capabilities of the SAP Business One software, SAP's knowledge thereof, and the problems experienced by Hodell running the Business One software.

6. Jon Woodrum (Implementation Manager, LSi-Lowery Systems, Inc.): Expected to testify at trial by videotape deposition consistent with the deposition designations submitted by Hodell relating to the implementation of Business One, LSi's relationship with SAP, the representations made by SAP regarding the Business One software, and the efforts made to remedy the malfunctioning Business One software.

7. Dale Van Leeuwen (Owner, The IBIS Group, Inc. and LSi-Lowery Systems, Inc.): Expected to testify at trial by remote video transmission relating to the sales process of Business One to Hodell and the LSi/IBIS relationship with SAP.

8. Geoffrey Ashley (former Director North Amer. Sales, SAP Business One): Expected to testify at trial by remote video transmission relating to the sales process of Business One to Hodell, the relationship of LSi/IBIS to SAP, and the efforts made to remedy the malfunctioning Business One software.

9. Joseph Vislocky (former IT Director of Hodell-Natco Industries, Inc.): Expected to testify live at trial relating to the impact of the malfunctioning software and efforts made to evaluate and remedy the cause of the software's malfunctions.

10. Jaime Clarke (Sales Manager, Hodell-Natco Industries, Inc.): Expected to testify live at trial regarding the impact of the malfunctioning Business One software on Hodell's business.

11. Otto Reidl (CEO, Hodell-Natco Industries, Inc.): Expected to testify live at trial relating to the sales process of Business One to Hodell, Hodell's implementation of Business One, the impact of the malfunctioning software on Hodell's business, Hodell's efforts to remedy the malfunctioning Business One software, and Hodell's damages.

12. Ralf Mehnert-Meland (former Director Business Development & Director Global ISV Channel, SAP Business One): Expected to testify live at trial relating to the capabilities of the Business One software, the sales process of Business One to Hodell, and the efforts made to remedy the malfunctioning Business One software.

13. Daniel Kraus (former V.P., SAP Business One): Expected to testify live at trial relating to the capabilities of the Business One software, the sales process of Business One to Hodell, the relationship between LSi/IBIs and SAP, and the efforts made to remedy the malfunctioning Business One software.

Expert Witnesses:

1. Helmuth Guembel (Expert Witness, Strategy Partners): Expected to testify in person at trial consistent with his expert report regarding the capabilities of the SAP Business One software, SAP's knowledge thereof, and the suitability of Business One for Hodell.

2. Dr. G. William Kennedy (Expert Witness, Berkley Research Group): Expected to testify in person at trial consistent with his expert report regarding Hodell's damages.

Dated: June 10, 2015

Respectfully submitted,

/s/ P. Wesley Lambert

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CERTIFICATE OF SERVICE

The undersigned certifies that on June 10, 2015, the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access the document through the Court's electronic filing system.

/s/ P. Wesley Lambert

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